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November 2, 2004  
Date

Cori N. Lanman  
Cori N. Lanman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/858,327 Confirmation No.: 3577  
Applicant: Neah Power Systems, Inc.  
Filed: May 15, 2001  
Title: Hydrodynamic Transport and Flow Channel Passageways Associated With Fuel Cell Electrode Structures and Fuel Cell Electrode Stack Assemblies  
TC/A.U.: 1745  
Examiner: Jonathan Crepeau  
Docket No.: 690089.401C5  
Cust. No.: 31740  
Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT UNDER 37 CFR § 1.312**

Sir:

In response to the Notice Regarding Drawings dated October 4, 2004 issued by the Office of Patent Publications (PUBS), Applicants file this Amendment pursuant to 37 CFR § 1.312. Accordingly, please consider the following amendments and accompanying remarks.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Drawings** begin on page 17 of this paper and include both an attached replacement sheet and an annotated sheet showing changes.

**Remarks** begin on page 18 of this paper.



11-03-04

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

24

Application Number

09/858,327

Filing Date

May 15, 2001

First Named Inventor

Leroy J. Ohlsen

Art Unit

1745

Examiner Name

Jonathan Crepeau

Attorney Docket Number

690089.401C5

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Barnard, Loop & McCormack LLP		
Signature			
Printed name	Thomas E. Loop		
Date	November 2, 2004	Reg. No.	42,810

**CERTIFICATE OF TRANSMISSION/MAILING**

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Signature			
Typed or printed name	Cori N. Lanman	Date	November 2, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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